

REMARKS

Consideration of this patent application as preliminarily amended is respectfully requested. Claims 1, 3, and 5-25 are pending in the present application. Claims 1, 22, and 23 have been amended. Claim 5 has been canceled. No new matter has been entered.

Applicants respectfully submit that Claims 1, 3, and 6-25, as preliminarily amended, are patentable and should be allowed. Specifically, in the Final Office Action dated July 02, 2004, the Examiner rejected Claims 1, 3, and 5-25 as being unpatentable over Pricescan.com (hereinafter "Pricescan") in view of U.S. Patent No. 5,758,328 to Giovannoli (hereinafter "Giovannoli"). Applicants respectfully submit that Pricescan and Giovannoli, taken alone or in combination, fail to teach, suggest, or render obvious the present invention as claimed.

Independent Claims 1, 22, and 23, as amended, recite *inter alia* "wherein when the request is for a predetermined proximity to a target location, the user may choose a radius for said target location."

As admitted in the Final Office Action, Pricescan fails to teach or suggest "wherein when the request is for a predetermined proximity to a target location, the user may choose a radius for said target location," as claimed in independent Claims 1, 22, and 23, as amended.

Giovannoli does not remedy any of the deficiencies of Pricescan. Giovannoli discloses a computerized quotation system and method for forming a network of buyer and vendor members for processing requests for quotation for goods and/or services. In the cited Abstract, and anywhere in the specification, Giovannoli fails to teach or suggest "wherein when the request is for a predetermined proximity to a target location, the user may choose a radius for said target location," as claimed in independent Claims 1, 22, and 23, as amended. At most, Giovannoli discloses that

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filter conditions may define a class of vendors in terms of geographical location, language spoken, currency, etc.

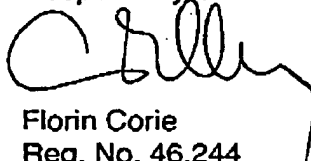
In addition, Pricescan fails to teach or suggest a combination with Giovannoli and Giovannoli fails to teach or suggest a combination with Pricescan. Moreover, such an alleged combination would still fail to teach or suggest "wherein when the request is for a predetermined proximity to a target location, the user may choose a radius for said target location," as claimed in independent Claims 1, 22, and 23, as amended.

Thus, Claims 1, 22, and 23 are distinguishable over Pricescan and Giovannoli, taken alone or in combination, and should be allowed. Claims 3, 6-21, and 24-25, dependent directly or indirectly from allowable Claims 1, 22, and 23, as amended, are also distinguishable over Pricescan and Giovannoli, taken alone or in combination, and should also be allowed at least for the same reasons as stated above. In conclusion, Applicants submit that Claims 1, 3, and 6-25 are patentable and should be allowed.

CONCLUSION

The examiner is invited to call Mr. Corie at 650-474-8400 to discuss the pending claims. The Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 07-1445.

Respectfully Submitted,



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